

**United States Patent Application**  
**DECLARATION UNDER 37 C.F.R. § 1.63**

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **WEBSITE SYSTEM AND PROCESS FOR SELECTION AND DELIVERY OF ELECTRONIC INFORMATION ON A NETWORK**

The specification of which

a. ☒ is attached hereto.

b. ☐ was filed on \_\_\_\_\_ as Application Serial No. \_\_\_\_\_, which I have reviewed and for which I solicit a United States patent.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (attached hereto).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

a. ☒ no such applications have been filed.

b. ☐ such applications have been filed as follows:

FOREIGN APPLICATION(S), IF ANY, CLAIMING PRIORITY UNDER 35 USC § 119			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)
ALL FOREIGN APPLICATION(S), IF ANY, FILED BEFORE THE PRIORITY APPLICATION(S)			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)

I hereby claim the benefit under Title 35, United States Code, § 120/365 of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application Number	PCT Parent Application Number	Parent Filing Date	Parent Patent Number
09/603,805		June 26, 2000	

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

U.S. PROVISIONAL APPLICATION NUMBER	DATE OF FILING (Day, Month, Year)
60/195,870	7, April, 2000
60/273,444	5, March, 2001

Please direct all correspondence in this case to Ted R. Rittmaster, Esq. at the address indicated below:

Ted R. Rittmaster  
Foley & Lardner  
2029 Century Park East - Suite 3500  
Los Angeles, CA 90067-3021

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2	<b>Full Name Of Inventor</b>	<b>Family Name</b> Sherr	<b>First Given Name</b> Scott	<b>Second Given Name</b> Jeffrey
0	<b>Residence &amp; Citizenship</b>	<b>City</b> Los Angeles	<b>State or Foreign Country</b> California	<b>Country of Citizenship</b> U.S.
1	<b>Post Office Address</b>	<b>Post Office Address</b> 1840 Veteran Avenue, #304	<b>City</b> Los Angeles	<b>State &amp; Zip Code/Country</b> California 90025
<b>Signature of Inventor 201:</b>				<b>Date:</b>
2	<b>Full Name Of Inventor</b>	<b>Family Name</b> Russell	<b>First Given Name</b> John	<b>Second Given Name</b> Christopher Park
0	<b>Residence &amp; Citizenship</b>	<b>City</b> Culver City	<b>State or Foreign Country</b> California	<b>Country of Citizenship</b> U.S.
2	<b>Post Office Address</b>	<b>Post Office Address</b> 11427 Setrell Way	<b>City</b> Culver City	<b>State &amp; Zip Code/Country</b> California 90230/U.S.A.
<b>Signature of Inventor 202:</b>				<b>Date:</b>
2	<b>Full Name Of Inventor</b>	<b>Family Name</b> Rubenstein	<b>First Given Name</b> Ira	<b>Second Given Name</b> Steven
0	<b>Residence &amp; Citizenship</b>	<b>City</b> Los Angeles	<b>State or Foreign Country</b> California	<b>Country of Citizenship</b> U.S.
3	<b>Post Office Address</b>	<b>Post Office Address</b> 1348 Beckwith Avenue	<b>City</b> Los Angeles	<b>State &amp; Zip Code/Country</b> California 90049
<b>Signature of Inventor 203:</b>				<b>Date:</b>



2	Full Name Of Inventor	Family Name Evans	First Given Name Charles	Second Given Name Jonathan
0	Residence & Citizenshi	City New York	State or Foreign Country New York	Country of Citizenship U.S.
9	Post Office Address	Post Office Address 55 West 14 <sup>th</sup> Street, Apt. 2E	City New York	State & Zip Code/Country New York 10011
Signature of Inventor 209:				Date:
2	Full Name Of Inventor	Family Name Schnabel	First Given Name Everton	Second Given Name Anthony
1	Residence & Citizenshi	City Los Angeles	State or Foreign Country California	Country of Citizenship U.S.
0	Post Office Address	Post Office Address 428 N. Laurel Avenue	City Los Angeles	State & Zip Code/Country California 90048
Signature of Inventor 210:				Date:
2	Full Name Of Inventor	Family Name Ochs	First Given Name Hartmut	Second Given Name --
1	Residence & Citizenshi	City Los Angeles	State or Foreign Country California	Country of Citizenship German
1	Post Office Address	Post Office Address 818 Parkman Avenue	City Los Angeles	State & Zip Code/Country California 90026
Signature of Inventor 211:				Date:
2	Full Name Of Inventor	Family Name Barnett	First Given Name Jeremy	Second Given Name Eli
1	Residence & Citizenshi	City Pacific Palisades	State or Foreign Country California	Country of Citizenship U.S.
2	Post Office Address	Post Office Address 563 Via de la Paz	City Pacific Palisades	State & Zip Code/Country California 90272
Signature of Inventor 212:				Date:

0032406-040501

2	Full Name Of Inventor	Family Name Palmer	First Given Name Seth	Second Given Name David
1	Residence & Citizenshi	City New York	State or Foreign Country New York	Country of Citizenship U.S.
3	Post Office Address	Post Office Address 33 Gold Street, Apt. 509	City New York	State & Zip Code/Country New York 10038
Signature of Inventor 213:				Date:
2	Full Name Of Inventor	Family Name Henderson	First Given Name Todd	Second Given Name Michael
1	Residence & Citizenshi	City Los Angeles	State or Foreign Country California	Country of Citizenship U.S.
4	Post Office Address	Post Office Address 2249 Veteran Avenue	City Los Angeles	State & Zip Code/Country California 90064
Signature of Inventor 214:				Date:
2	Full Name Of Inventor	Family Name Chong	First Given Name William	Second Given Name W.
1	Residence & Citizenshi	City New York	State or Foreign Country New York	Country of Citizenship U.S.
5	Post Office Address	Post Office Address 20 Confucius Plaza, #18M	City New York	State & Zip Code/Country New York 10002
Signature of Inventor 215:				Date:
2	Full Name Of Inventor	Family Name Forest	First Given Name Bruce	Second Given Name --
1	Residence & Citizenshi	City Weston	State or Foreign Country Connecticut	Country of Citizenship U.S.
6	Post Office Address	Post Office Address 10 Spring Valley Road	City Weston	State & Zip Code/Country Connecticut 06883
Signature of Inventor 216:				Date:
2	Full Name Of Inventor	Family Name Koenig	First Given Name Steven	Second Given Name --
1	Residence & Citizenshi	City Menlo Park	State or Foreign Country California	Country of Citizenship U.S.
7	Post Office Address	Post Office Address 1751 Croner Avenuee	City Menlo Park	State & Zip Code/Country California 94025
Signature of Inventor 217:				Date:

**§ 1.56 Duty to disclose information material to patentability.**

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
  - (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
  - (2) It refutes, or is inconsistent with, a position the applicant takes in:
    - (i) Opposing an argument of unpatentability relied on by the Office, or
    - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
- (1) Each inventor named in the application;
  - (2) Each attorney or agent who prepares or prosecutes the application; and
  - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.